



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Simms, Domenica

Appl. No.: 10/046,667

Filed: January 16, 2002

For: **Reagent for the Isolation of RNA**

Confirmation No.: 3021

Art Unit: 1651

Examiner: Prats, Francisco Chandler

Atty. Docket: 0942.5220001/RWE/CJW

First Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is also provided.

The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Information Disclosure Statement filed August 7, 2002, in connection with the above-captioned application.

The Examiner's attention is directed to the following co-pending U.S. Patent Application, which is directed to related technical subject matter:

U.S. Patent Application No. 09/058,350, Domenica Simms, filed April 10, 1998 and submitted herewith as document AT6.

The Examiner's attention is also directed to the prosecution from co-pending U.S. Patent Application No. 09/058,350, Domenica Simms, filed April 10, 1998 and

submitted herewith as document AT6. The submitted prosecution includes Office Communications and Applicant's amended claim sets submitted in response to the Office Communications. The prosecution is cited herein as documents AS7 through AS10.

The identification of this U.S. Patent Application, and any corresponding prosecution, is not to be construed as a waiver of secrecy as to this application, or its corresponding prosecution, now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application, the corresponding prosecution and the art cited therein during examination.

Document AN1, JP 61-132189 A, is in the Japanese language. The relevance of document AN1 can be ascertained by reference to the European Examination Report for EP 98 915 405.9 (European equivalent of the present application), cited as document AT10. Unverified English language abstracts of document AN1 are submitted as Document AR7.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This First Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

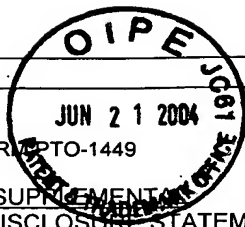
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Christopher J. Walsh
Agent for Applicants
Registration No. 55,709

Date: June 21, 2004

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FOR PTO-1449

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
0942.5220001/RWE/CJWAPPLICATION NO.
10/046,667FIRST NAMED INVENTOR
Simms, D.FILING DATE
January 16, 2002ART UNIT
1651

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	US 4,833,239	05/23/1989	DeBonville <i>et al.</i>			01/29/1987
	AB1	US 4,843,155	06/27/1989	Chomczynski, P.			11/19/1987
	AC1	US 5,098,603	03/24/1992	Perlman, D.			01/16/1990
	AD1	US 5,346,994	09/13/1994	Chomczynski, P.			01/28/1992
	AE1	US 5,990,302	11/23/1999	Kuroita <i>et al.</i>			07/11/1997
	AF						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN1	JP 61-132189 A	06/19/1986	Japan			Yes No X
	AO1	EP 0 727 488 A1	08/21/1996	Europe			Yes No
	AP						Yes No

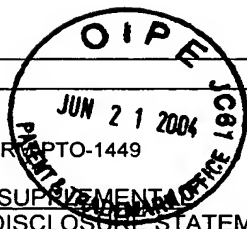
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	4	Bugos, R.C., <i>et al.</i> , "RNA Isolation from Plant Tissues Recalcitrant to Extraction in Guanidine," <i>BioTechniques</i> 19:734-737, Eaton Publishing Company (1995)
	AT	4	Dahle, C.E., and Macfarlane, D.E., "Isolation of RNA from Cells in Culture Using Catrimox-14™ Cationic Surfactant," <i>BioTechniques</i> 15:1102-1105, Eaton Publishing Company (1993)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	AP						Yes No

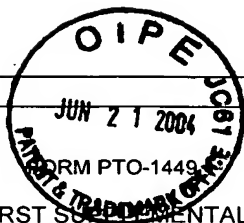
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	5	Hale, A.D., <i>et al.</i> , "Comparison of four RNA extraction methods for the detection of small round structured viruses in faecal specimens," <i>J. Virol. Methods</i> 57:195-201, Elsevier Science B.V. (1996)
AS	5	McIntosh, L., and Cattolico, R.A., "Preservation of Algal and Higher Plant Ribosomal RNA Integrity during Extraction and Electrophoretic Quantitation," <i>Anal. Biochem.</i> 91:600-612, Academic Press, Inc. (1978)
AT	5	Nicolaides, N.C., and Stoeckert, Jr., C.J., "A Simple, Efficient Method for the Separate Isolation of RNA and DNA from the Same Cells," <i>BioTechniques</i> 8:154 and 156, Eaton Publishing Company (1990)

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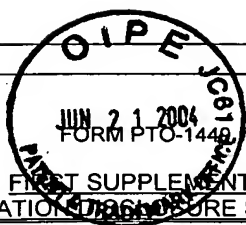
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>6</u>	Robaglia, C., <i>et al.</i> , "Evolution and replication of tobacco ringspot virus satellite RNA mutants," <i>EMBO J.</i> 12:2969-2976. Oxford University Press (1993)
AS	<u>6</u>	Sambrook, J., <i>et al.</i> , "Isolation of RNAs," in <i>Molecular Cloning: A Laboratory Manual</i> , 2nd ed., Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, Sections 7.6-7.15 (1989)
AT	<u>6</u>	Copy of co-pending U.S. Application No. 09/058,350, inventor Simms, D., filed April 10, 1998

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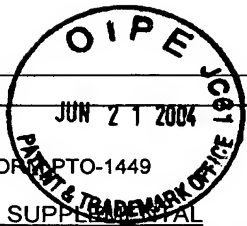
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	Z	WPI/Derwent, and PAJ/JPO English language abstracts for JP 61-132189 A
AS	Z	Kunz, G.L., Office Communication for United States Patent Application No. 09/058,350, 4 pages, United States Patent and Trademark Office (mailed March 3, 1999)
AT	Z	Esmond, R.W., Applicant's Amendments to the Claims for United States Patent Application No. 09/058,350, 5 pages, "Amendment And Reply Under 37 C.F.R. § 1.111" (filed June 3, 1999)

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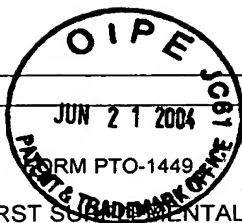
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	AR	8	Kunz, G.L., Office Communication for United States Patent Application No. 09/058,350, 3 pages, United States Patent and Trademark Office (mailed August 16, 1999)
	AS	8	Vidovich, K.K., Applicant's Amendments to the Claims for United States Patent Application No. 09/058,350, 3 pages, "Amendment And Reply Under 37 C.F.R. § 1.111" (filed February 16, 2000)
	AT	8	Owens, H., Office Communication for United States Patent Application No. 09/058,350, 6 pages, United States Patent and Trademark Office (mailed May 9, 2000)

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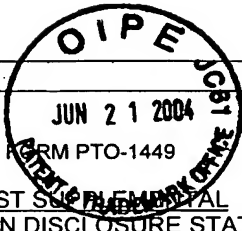
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AR	9	Bugaisky, L.B., Applicant's Amendments to the Claims for United States Patent Application No. 09/058,350, 2 pages, "Amendment And Reply Under 37 C.F.R. § 1.111 (filed November 8, 2000)
AS	9	Vidovich, K.K., Applicant's Amendments to the Claims for United States Patent Application No. 09/058,350, 3 pages, "Supplemental Amendment And Reply Under 37 C.F.R. § 1.111 (filed January 16, 2001)
AT	9	Owens, H., Office Communication for United States Patent Application No. 09/058,350, 6 pages, United States Patent and Trademark Office (mailed March 27, 2001)

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	10	Owens, H., Office Communication for United States Patent Application No. 09058,350, 3 pages, United States Patent and Trademark Office (July 18, 2001)
AS	10	Owens, H., Office Communication for United States Patent Application No. 09/058,350, 3 pages, United States Patent and Trademark Office (mailed October 31, 2001)
AT	10	European Examination Report for European Application No. EP 98 91 5405.9, 3 pages, European Patent Office, The Hague, Netherlands (mailed September 24, 2003)

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